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Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/791,403 TRANSMITTAL Filing Date March 2, 2004 **FORM** First Named Inventor Dieter Mauer et al. (to be used for all correspondence after initial filing) **Art Unit** 2125 **Examiner Name** Total Number of Pages in This Submission Attorney Docket Number 0275M-000260/DVD ENCLOSURES (check all that apply) After Allowance Communication to Fee Transmittal Form Drawing(s) Technology Center (TC) Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Petition Appeal Communication to TC Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information **Provisional Application** Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below): Request for Refund 10 sheets of Form PTO-1449 Express Abandonment Request 38 Foreign Patent Documents CD, Number of CD(s) 39 Other Documents Information Disclosure Statement Remarks The Commissioner is hereby authorized to charge any additional Certified Copy of Priority fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Document(s) Account No. 02-2550. A duplicate copy of this sheet is enclosed. Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Reg. No. Firm Attorney Name Harness, Dickey & Pierce, P.L.C. Monte L. Falcoff 37,617 Individual name Signature Date August 26, 2004 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. EV 533 145 505 US (8/26/2004) Typed or printed name Monte L. Falcoff Express Mail

This collection of information is required by 37 CFP 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

Signature



# AUS 2 6 2004

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PADE Application No.:

10/791,403

Filing Date:

March 2, 2004

Applicant:

Dieter Mauer et al.

Group Art Unit:

2125

Examiner:

Title:

RIVETING SYSTEM AND PROCESS FOR FORMING A

**RIVETED JOINT** 

Attorney Docket:

0275M-000260/DVD

Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

#### **INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

#### I. <u>LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION</u>

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

#### II. <u>COPIES</u>

A. \_\_\_\_ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. XXX Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

#### U.S. Serial Number

#### U.S. Filing Date

10/300,317	November 20, 2002
09/824,872	April 3, 2001
09/358,751	July 21, 1999
09/119,255	July 20, 1998

C. XXX Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D.\_\_\_\_ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

#### III. <u>CONCISE EXPLANATION OF THE RELEVANCE</u> (check <u>at least</u> one box)

- A. XXX Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).
- B. XXX A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

Japanese Patent No. 63-90543 appears to show a rivet machine.

Japanese Patent No. 52-135960 appears to show a threaded rivet-like fastener secured to a workpiece.

Japanese Patent No. 49-16653 appears to show a threaded rivet-like fastener secured to a workpiece.

Japanese Patent No. 51-135265 appears to show a spring biased punch.

Japanese Patent No. 51-135319 appears to show a fastener with internal threads.

Japanese Patent No. 52-133877 appears to show a deformable fastener with internal threads.

Japanese Patent No. 60-94927 appears to show a punch and die arrangement.

Japanese Patent No. 61-20910 appears to show a threaded fastening system.

German Patent No. 1 292 112 appears to show a spring biased punch machine.

German Patent No. DE 40 19 467 A1 appears to show a material deforming punch.

German Patent No. DE 42 37 621 A1 appears to show a riveting machine.

European Patent No. 0 768 128 A1 appears to show a machine with opposing punches.

Japanese Patent No. 52-134180 appears to show a workpiece deforming machine having a spring biased punch.

Japanese Patent No. 56-120807 appears to show a fastening machine for deforming a fastener.

Japanese Patent No. 53-146866 appears to show a piercing rivet.

Japanese Patent No. 3-210931 appears to show a piercing fastener and die.

Japanese Patent No. 50-84976 appears to show a machine for installing a threaded fastener.

German Patent No. DE 44 19 065 A1 appears to show a riveting machine having a punch and die.

Japanese Patent No. 56-077042 appears to show a sheet material riveting machine with a feed conduit.

Weiterentwicklung der Stanzniettechnik appears to show a self piercing rivet and machine.

aT Angerwandte Technik appears to show various fastening systems including clinching, lanced joints and riveting.

Dubbel appears to show a variety of rivets.

Nieten ohne Vorlochen appears to show a self piercing rivet and machine.

Qualitatssichenrung appears to show various riveting operations.

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CC	unter	part foreign	applicati	on:				

2. XXXEnglish translations are provided where noted on the 1449 form.

3.\_\_\_Other:

C. <u>XXX</u> The following additional information is provided for the Examiner's consideration. The references applied by the Examiner in the Office Action of the parent application and deemed more relevant that the others in the IDS cover sheet of the parent application, are again specifically drawn to the attention of the Examiner.

#### IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. <u>XXX</u> The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.	Filing Date
10/300,317	November 20, 2002
09/824,872	April 3, 2001
09/862,688	May 22, 2001
09/358,751	July 21, 1999
09/119,255	July 20, 1998

#### V. THIS IDS IS BEING FILED UNDER

A. XXX 37 C.F.R. § 1.97(b): (check only one box)

- 1. \_\_\_\_ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
- 2. \_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
- 3. XXX before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- 4. \_\_\_\_ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.
- B. \_\_\_\_37 C.F.R. § 1.97(c): (check <u>only</u> one box)

	§ 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.
	1No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
	2See the certification below. No fee is required.
	C37 C.F.R. § 1.97(d):
	after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.
	1See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
	CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)
	The undersigned hereby certifies that:
•	A each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F. R. 1.704(d) below in section VII, if applicable; or
	B no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
	CSome of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained

in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three

months prior to the filing of this IDS.

VI.

#### VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

#### VIII. PAYMENT OF FEES (check only one box)

A. \_\_\_\_ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. \_\_\_\_Please charge Deposit Account No. 02-2550 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2550.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2550.

Dated: August 26, 2004

HARNESS, DICKEY & PIERCE, P.L.C. P.O. Box 828

Bloomfield Hills, Michigan 48303

(248) 641-1600

MLF/lkj

Respectfully submitted,

Reg. No. 37,617



## PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 1 of 10

ATTORNEY DOCKET NO.	SERIAL NO.		
0275M-000260/DVD	10/791,403		
APPLICANT			
Dieter Mauer et al.			
FILING DATE	GROUP		
March 2, 2004	2125		

U.S. F	PATENT DO	CUMENTS				
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		2002/016621 A1	11/2002	Clew		
2.		Re. 35, 619	10/1997	Muller		
3.		1,483,919	2/1924	Walker		
4.		1,611,876	12/1926	Berger		
5.		2,342,089	2/1944	Rossmann		
6.		2,374,899	5/1945	Sasgen		
7.		2,465,534	3/1949	Havener		
8.		2,493,868	1/1950	Griffin		
9.		3,557,442	1/1971	Speller		
10.		3,811,313	5/1974	Schut		
11.		3,958,389	5/1976	Whiteside et al.		
12.		3,961,408	6/1976	Goodsmith et al.		
13.		4,044,462	8/1977	Anselmo		
14.		4,096,727	6/1978	Gargaillo		
15.		4,128,000	12/1978	Hogenhout et al.		
16.		4,132,108	1/1979	Hogenhout		
17.		4,151,735	5/1979	McDermott		
18.		4,192,058	3/1980	Falcioni		
19.		4,365,401	12/1982	Ogren		
20.	,,	4,384,667	5/1983	Smallegan et al.		
21.		4,459,073	7/1984	Muller		

Examiner:	Date Considered:

## PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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0275M-000260/DVD	10/791,403
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March 2, 2004	2125

U.S. F	ATENT DO	CUMENTS				
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		4,511,074	4/1985	Kille et al.		
23.		4,543,701	10/1985	Muller		
24.		4,553,074	11/1985	Jacquemet		
25.		4,555,838	12/1985	Muller		
26.		4,574,453	3/1986	Sawdon		
27.		4,582,238	4/1986	Bennett et al.		
28.		4,615,475	10/1986	Fuhrmeister		
29.		4,620,656	11/1986	McClay et al.		
30.		4,625,903	12/1986	Becht		
31.		4,633,560	1/1987	Muller		
32.		4,662,556	5/1987	Gidlund		
33.		4,765,057	8/1988	Muller		
34.		4,858,481	8/1989	Abraham		
35.		4,901,431	2/1990	Gast		
36.		4,911,592	3/1990	Muller		
37.		4,915,558	4/1990	Muller		
38.		4,955,119	9/1990	Bonomi et al.		
39.		4,964,314	10/1990	Wilkes		
40.		4,999,896	3/1991	Mangus et al.		
41.		5,042,137	8/1991	Speller, Sr.		

Examiner:	Date Considered:

## PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 3 of 10

ATTORNEY DOCKET No.	SERIAL NO.
0275M-000260/DVD	10/791,403
APPLICANT	
Dieter Mauer et al.	
FILING DATE	GROUP
March 2, 2004	2125

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		5,056,207	10/1991	Ladouceur		
43.		5,060,362	10/1991	Birke et al.		
44.		5,131,130	7/1992	Eshghy		
45.	· <del>- ·</del>	5,131,255	7/1992	Fushiya et al.		
46.		5,140,735	8/1992	Ladouceur		
47.		5,169,047	12/1992	Endres et al.		
48.		5,196,773	3/1993	Yoshikawa et al.		
49.		5,201,692	4/1993	Salter		
50.		5,207,085	5/1993	Hopkins et al.		
51.		5,212,862	5/1993	Eshghy		
52.		5,216,819	6/1993	Givler		
53.		5,222,289	6/1993	Michalewski et al.		
54.	·	5,231,747	8/1993	Clark et al.		
55.		5,259,104	11/1993	Givler		
56.		5,277,049	1/1994	Endo		
57.		5,329,694	7/1994	Sickels et al.		
58.		5,331,831	7/1994	Schneider		
59.		5,398,537	3/1995	Michalewski et al.		
60.		5,471,729	12/1995	Zoltaszek		
61.		5,471,865	12/1995	Michalewski et al.		

Examiner:	Date Considered:

## PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

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U.S. P	ATENT DO	CUMENTS				
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		5,472,087	12/1995	Rink et al.		
63.		5,473,805	12/1995	Wille		
64.		5,487,215	1/1996	Ladouceur		
65.		5,491,372	2/1996	Erhart		
66.		5,502,884	4/1996	Ladouceur		
67.		5,510,940	4/1996	Tacklind et al.		
68.		5,531,009	7/1996	Givler		
69.		5,533,250	7/1996	Ladouceur		
70.		5,544,401	8/1996	Danino		
71.		5,557,154	9/1996	Erhart		
72.		5,575,166	11/1996	Michalewski et al.		
73.		5,581,587	12/1996	Satoh et al.		
74.	-	5,615,474	4/1997	Keliner et al.		
75.		5,655,289	8/1997	Wille et al.		
76.		5,673,839	10/1997	Howard et al.		
77.		5,752,305	5/1998	Cotterill et al.		
78.		5,779,127	7/1998	Blacket et al.		
79.		5,795,114	8/1998	Schweitzer et al.		
80.		5,802,691	9/1998	Zoltaszek		
81.		5,809,833	9/1998	Newport et al.		

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U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
82.		5,829,115	11/1998	Speller, Jr. et al.		
83.		5,893,203	4/1999	Buttrick, Jr.		
84.		5,957,362	9/1999	Samulowitz et al.		
85.		6,011,482	1/2000	Banks et al.		
86.		6,014,802	1/2000	Guerin		
87.		6,014,804	1/2000	Lulay et al.		
88.		6,058,598	5/2000	Dixon et al.		
89.		6,067,696	5/2000	Cecil et al.		
90.		6,148,507	11/2000	Swanson et al.		
91.		6,199,271	3/2001	Hahn et al.		
92.		6,219,898	4/2001	Kubanek et al.		
93.		6,276,050	8/2001	Mauer et al.		
94.		6,347,449	2/2002	Calkins et al.		
95.		6,357,100	3/2002	Speller, Jr. et al.		
96.		6,385,843	5/2002	Singh et al.		
97.		6,502,008	12/200	Maurer et al.		
98.		6,543,121	4/2003	Speller, Jr. et al.		

Examiner:	Date Considered:

## PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 6 of 10

ATTORNEY DOCKET NO.	SERIAL NO.	
0275M-000260/DVD	10/791,403	
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March 2, 2004	2125	

FORE	IGN PATEN	IT DOCUMENTS					
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	on No
1.		63-90543	6/1988	Japan			
2.		52-135960	11/1977	Japan			
3.		49-16653	2/1974	Japan			
4.		51-135265	11/1976	Japan			
5.		51-135319	11/1976	Japan			
6.		52-133877	10/1977	Japan			
7.		60-94927	6/1985	Japan			
8.		61-20910	2/1986	Japan			
9.		1 292 112	4/1969	Germany			
10.		DE 40 19 467 A1	1/1992	Germany			
11.		WO 93/24258	12/1993	WIPO			
12.		DE 42 37 621 A1	8/1993	Germany			
13.		WO 93/10925	6/1993	WIPO			
14.		0 129 358	12/1984	EPO			
15.		2 350 901	5/1976	France		Х	
16.		1696081 A1	12/1971	USSR		Х	
17.		0 344 906	12/1989	EPO			
18.		WO 91/15316	3/1991	WIPO			
19.		2 290 970	8/1997	France		X	
20.		1 476 227	6/1977	Great Britain			

Examiner:	Date Considered:	

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FORE	IGN PATEN	IT DOCUMENTS		· · · · · · · · · · · · · · · · · · ·		
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes N
21.		52-134180	11/1977	Japan		
22.		56-120807	9/1981	Japan		
23.		53-146866	11/1978	Japan		
24.		3-210931	9/1991	Japan		
25.		0 130 076 B1	1/1985	EPO		
26.		50-84976	7/1975	Japan		
27.		EP 0 768 128 A1	10/1996	EPO		
28.		DE 44 19 065 A1	12/1995	Germany		
29.		CN 1113837 A	12/1995	China		Х
30.		EP 0 922 538 A2	6/1999	EPO		
31.		GB 2,300,183 A	10/1996	United Kingdom		
32.		JP 56-077042	6/1981	Japan		
33.		WO 00/07751	2/2000	WIPO		
34.		1 487 098	9/1977	Great Britain		
35.		EP 0 685 662 B1	12/1995	EPO		
36.		4-169828	6/1992	Japan		Х
37.		7-108497	4/1995	Japan		Х
38.		EP 0 772 033 A2	5/1997	EPO		

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OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		"Weiterentwicklung der Stanzniettechnik", Lothar Budde, Wilhelm Lappe, Fritz Lliebrecht, Dietmar Sube, 1992, pp. 310-314
2.		Declaration of Kenneth Edwards (with exhibits)
3.		Affidavit of John R. Perkins (with exhibits)
4.		Affidavit of John Russell
5.		aT Angewandte Technik Niettechnik + Alaternativen, 1991, pp. 34-38
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